

TRAVEL MANGEMENT FREQUENTLY ASKED QUESTIONS¹

Need for the Travel Management Rule

1. OHVs are an increasingly popular way to enjoy outdoor recreation on NFS lands. Will the rule limit access to the national forests and grasslands? Why is there a change in Forest Service policy?

In the right places and under careful management, OHVs are a legitimate use of NFS lands. The final rule maintains public access to national forests and grasslands. By designating a system of roads, trails, and OHV areas for motor vehicle use, the rule enhances opportunities for outdoor recreation and ensures that they remain sustainable over the long term. Previous Forest Service regulations were developed before the recent increases in OHV use and advances in OHV technology and are no longer adequate to respond to growing demand.

2. Some OHV use damages the environment and affects the experiences of other visitors. Why does the agency allow OHV use on national forests and grasslands at all?

National forests are established for use by the American public for multiple purposes. When properly managed, OHV use is a legitimate use of NFS lands. The final rule provides for careful management of OHV use, so that environmental impacts can be limited and the use sustained over the long term.

3. How does the rule define an OHV? What classes of vehicles are subject to the rule?

The final rule defines an OHV as “any motor vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain.” Technological advances have enabled many classes of motor vehicles to travel off highways. The designation requirements in the final rule apply to all classes of motor vehicles (not just OHVs) except aircraft, watercraft, and over-snow vehicles.

General Process

4. How are roads, trails, and OHV areas designated?

Each national forest or grassland is assessing its current travel management direction, involving the public, and determining if changes are needed. Designations will be made with public involvement, coordination with federal, state, county, and other local governmental entities and tribal governments, and appropriate environmental analysis and documentation. Once an administrative unit or a ranger district completes the designation process and publishes a motor vehicle use map, the rule prohibits motor vehicle use inconsistent with those designations. The rule does not require reconsideration of past decisions.

¹ For more information on travel management, visit the Regional Forest Service Website at <http://www.fs.fed.us/r3/projects/travel-mgt/faq.shtml>

5. How does travel management relate to land management planning? How will the agency comply with the National Environmental Policy Act (NEPA) in designating routes and areas for motor vehicle use?

Forest Land and Resource Management Plans contain suitability determinations and guidelines that inform decisions related to motor vehicle use. However, land management plans do not designate roads, trails, and OHV areas for motor vehicle use. Designation of roads, trails, and OHV areas is a local, project-level decision separate from the applicable plan decision, which must be based on appropriate site-specific environmental analysis and documentation under NEPA.

6. Where cross-country motor vehicle use has been allowed in the past, repeated use has often created unplanned, user-created trails. How will these user-created routes be managed under the final rule?

Some user-created routes are well-sited, provide excellent opportunities for outdoor recreation, and would enhance the system of designated routes and areas. Other user-created routes are poorly located and are causing unacceptable environmental impacts. User-created routes are best evaluated at the local level, by officials with first-hand knowledge of the particular circumstances, uses, and environmental impacts involved, working closely with local governments, users, and other members of the public. The TNF is proposing that some user-created routes will be designated for motor vehicle use and become part of the managed system of NFS roads and NFS trails, after site-specific evaluation and public involvement. Those not designated will be closed to motor vehicle use.

7. The final rule does not require a complete inventory of existing user-created routes. How will the Forest Service give fair consideration to user-created routes without a complete inventory?

User-created routes are developed without planning, design, authorization, or study by the agency. Some are well-located, others are not. Still others involve multiple braided routes in a single corridor. A complete inventory of all these routes would be very time-consuming and expensive and could delay completion of route and area designation. The TNF has used public involvement to help identify appropriate user-created routes for consideration and evaluation in the designation process.

Proposed Action

8. What does proposed action mean?

A proposed action reflects what changes the Forest thinks should be made in its current management; in this case, to its motorized vehicle travel system. It is not a final decision; it is a starting point for further discussion with the public.

9. How did the Forest decide on the proposed action?

The Forest specialists, along with the public, developed the proposed action using a road, trail, and OHV area evaluation process. Each forest road and motorized trail, or OHV area was analyzed for benefits and risks. (e.g., what does each road access, who uses it, is it redundant with other roads, is it safely designed, is it contributing to resource damage?)

10. Where can I obtain a copy of the proposed action and maps?

They are available on the web at www.fs.fed.us/r3/tonto/travelmgt/index.shtml or you may request copies from the office.

11. Who makes the final decision and on what is it based?

Designation decisions will be made by the forest supervisor, working closely with local communities, motorized and non-motorized recreation groups, and other interested parties.

12. What about public involvement?

Public involvement has been ongoing for the past four years at each of the districts, since the beginning of the road designation process. The TNF has worked with many citizens, organizations, and other federal, state, and local agencies.

13. When will the final map be available?

The Motor Vehicle Use Map (MVUM) will be completed after the final decision is made for the road system. It is expected to be completed at the end of next summer.

14. How will the Forest implement the final travel management decision?

We will implement the decision when it is finalized and signed by the forest supervisor, through engineering (physically opening, closing, and maintaining roads), education, and enforcement.

15. Can road designations be modified after the final decision is made? How?

As issues arise and are brought to the attention of the district, modifications to the road designations will be addressed through adaptive management. The final rule includes a process for revising designations once each year (36 CFR 212.54). The agency expects that over time new roads and trails will be constructed and added to the designated system. Other existing roads and trails may be closed and removed from the designated system in response to environmental impacts or changing travel management needs. Revision of designations will include public involvement and appropriate environmental analysis.

16. With limited law enforcement resources, how does the Forest Service expect to implement a new regulation and manage OHV use?

Most OHV users want to do the right thing, and the agency believes that proper education and engineering (e.g., road and trail design, signing) can focus law enforcement resources on those few users who intend to violate the law. Forest Service law enforcement personnel play a critical role in ensuring compliance with laws and regulations, protecting public safety, and protecting National Forest System resources. The Forest Service also maintains cooperative relationships with many state and local law enforcement agencies that provide mutual support across jurisdictional boundaries. The new rule provides a consistent framework for enforcing travel management regulations, including provision for a motor vehicle use map.

Commenting on the Proposed Action

17. Do you have a document on how to make a comment? What should I put in my comments?

Comment forms will be available at the public meetings and the web. Effective comments tell the Forest what you think should change and why. Be specific and provide any additional data that you think the Forest is missing.

18. Where do I send my comments?

Comments should be mailed to:

USDA Forest Service
Tonto National Forest
ATTN: Travel Management
2324 E McDowell Rd
Phoenix, AZ 85006

Or Faxed to:

Attn: Travel Management (602) 225 5295

Or by e-mail to:

comments-southwestern-tonto@fs.fed.us

19. Will I receive a response to my comments?

It is unlikely that the Forest will respond individually to people's comments due to the high volume of comments received. Instead, we will address comments through the development of alternatives and the environmental analysis.

20. What happens with my comment?

Comments are catalogued and analyzed to determine if the information identifies any new issues or proposes any new alternatives that have not been previously considered.

General Access

21. Why is the Forest proposing to close or open a certain road, trail, or OHV area?

Decisions to open or close roads, trails, and OHV areas were based on a travel evaluation process. You can provide comments on why a certain route or area should be open or closed with specific rationale that addresses resources or access needs.

22. Are you closing areas to target shooting?

Target shooting is not within the scope of this proposal.

23. Are you designating dispersed camping sites?

Some dispersed camping sites will be designated individually, while others will be designated within corridors.

24. May I travel off-road to pick up legally taken game?

We are proposing to provide for motorized big game retrieval for elk harvesting off the designated road system in certain designated game management units.

25. Will you have designated rock-crawling areas?

We are not currently aware of any areas that should be designated specifically for rock-crawling. If this use occurs off a designated road, then the area needs to be designated as an OHV area. The public can recommend areas during the scoping period.

26. Do you need to be "street legal/licensed" to drive on forest roads, trails, or OHV areas?

In Arizona, Maintenance Level 3, 4, and 5 roads are managed for use by passenger vehicles and are generally open only to highway legal and licensed vehicles operated by licensed drivers. Maintenance Level 2 roads are managed for high-clearance vehicles and are generally open to all

vehicles whether highway legal or not, though are often not passable by low clearance vehicles. Maintenance level 1 roads are closed.

27. What will happen to the roads that you are “closing?”

The Forest Service will use some type of physical closure and/or revegetation. The public is responsible for knowing what roads are open or closed by referring to the Motor Vehicle Use Map.

28. May I use administrative roads?

Not without authorization. Administrative roads are closed to the public and will not show up on the final Motorized Vehicle Use Map.

29. I have an UTV that is 54-inches wide – may I ride on trails?

Motorized trails are only for vehicles under 50 inches.

30. May I ride cross-country in an OHV Area?

According to the recent guidance, an OHV Area allows for cross-country travel.

31. Does the rule take away valid existing rights held by federally-recognized tribal governments, counties, or private individuals, including treaty rights, other statutory rights, or private rights-of-way?

No. We will recognize valid existing rights in making designations at the local level.

32. How does the rule address use of motor vehicles for timber harvesting, grazing, mining, ski areas, utility line maintenance, firewood collection, and other permitted uses of national forests and grasslands?

According to the final rule, motor vehicles may be used off the designated system for the above purposes when specifically authorized under a contract, permit, operating plan, or other written instrument issued under federal law or regulation.